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BEYOND DAYTON: FINDING A SOLUTION IN BOSNIA

BY

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ABSTRACT

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The Dayton Peace Accords are not working and are not likely to work anytime soon. Hence, a new approach in Bosnia is needed. Formal partition is an alternative solution that has always lingered in the wings. This paper compares the Dayton strategy of a unitary state with the merits of formal partition, augmented by a program of compensated resettlement. While there are practical obstacles to partition, the most profound barriers are psychological. These barriers are deeply rooted in popular perceptions of the nature of the Bosnian conflict and the moral identification of its victims and perpetrators. Not until the psychological "myths" of the conflict are dispelled, can the long-term merits of partition and compensated resettlement be contemplated by Western politicians.

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INTRODUCTION: STATUS OF DAYTON

With the extension of U.S. troop deployment in Bosnia and slow progress towards political implementation of the Dayton Peace Accords, it should be clear that lasting peace in Bosnia-Herzegovina (BiH) is a long way off. Although a central government for BiH has convened and formed a cabinet, that government has yet to enact substantive legislation effecting national policy or reconstruction. Ethnic mistrust and tension remain high. Freedom of movement between ethnic enclaves remains inhibited, leaving hundreds of thousands of refugees unable or unwilling to return to their pre-war residences.¹ Refugee homes have been "mysteriously" blown-up as applications for return are being processed through local officials.² Indicted war criminals remain at large under the virtual protection of their respective ethnic communities,³ and evictions of minorities continue to be reported.⁴ Violations of arms control provisions remain widespread.⁵ Progress on the removal of land mines has been minimal.⁶ A decision on the Brcko arbitration has been postponed for another year and municipal elections were deferred until September 1997.⁷ Finally, the Federation government of Muslims and Croats remains fraught with problems, despite its existence since 1994.⁸

Meanwhile, the international investment in BiH is staggering. NATO troops are providing peacekeeping and arms control supervision. The Organization for Security

Cooperation in Europe (OSCE) is providing election supervisors. The UN is providing police monitors, refugee workers, war crimes prosecutors, and human rights observers. The World Bank and other financial institutions are supervising reconstruction, which for the size and population of BiH, is on a scale larger than the Marshall Plan for Europe.⁹ Yet there remains little progress towards political normalization.

Probably the most compelling indictment of the Dayton strategy is the recent violence between Muslims and Croats in Mostar.¹⁰ The Croats and Muslims have been allied in a common, power-sharing Federation government for almost three years.¹¹ The two communities have not been separated by an Inter-Entity Boundary Line (IEBL).¹² They have shared liberally in the reconstruction aid that has poured in from international agencies.¹³ Thus, the two principal ingredients that the Dayton strategy contends will bring ethnic peace to the region—pluralistic political mechanisms and liberal infusion of economic aid—have been present in the Federation for some time, and yet ethnic reconciliation is hardly evident. If the Dayton formula is not working for the Croats and Muslims, how can it be expected to incorporate the Serbs? Proponents of Dayton suggest that more time is needed.¹⁴ But how much time, they cannot say.

PARTITION: ANOTHER SOLUTION

If Dayton is not working, or not likely to work any time soon, then another solution is formal partition.¹⁵ This paper will compare the merits of partition with the Dayton strategy of a unitary, multicultural state. This paper will not concentrate on the technical matters incident to partition. No doubt they will be difficult to overcome; however, only brief suggestions for their resolution will be offered herein. Instead, this paper will contend that the psychological barriers to partition are much more profound. Those barriers are deeply rooted in popular perceptions on the nature of the Bosnian conflict and the moral identification of its perpetrators and victims. Not until these issues are addressed, may the merits of partition be considered. Highlighting the influence of these perceptions on a failing Dayton peace strategy will demonstrate how partition offers long-term solutions which may, in fact, be in the best interests of all parties in BiH.

The Dayton Accords have not resolved the underlying problem in BiH: none of the three ethnic groups want to be under the political hegemony of the others. In democracy, majority rules. For minorities, this can be a threatening prospect, especially where there has been a long history of tension between the groups and little experience by any party in democratic processes.¹⁶ In an unitary Bosnian state as envisioned under Dayton, it will be difficult to escape the fundamental concept of "majority rules," which

Croats and Serbs in Bosnia see as a threat to their cultural identity.

The Dayton formula seeks to remedy this situation by creating a power-sharing government where each ethnic group has a "veto" over potential excesses by the majority.¹⁷ Thus in BiH, there exists today a three-member presidency and two houses of parliament, all equally divided between the three ethnic groups. Likewise, the cabinet has an equal number of ministers from each ethnic group, with each minister having a deputy from the other groups. Finally, the Prime Minister rotates weekly between the Federation and the Republika Serpska (RS).

For a bill to pass parliament, at least one-third of the members of each ethnic group must approve. Or, conversely, if two-thirds of any ethnic group in either house disagrees, legislation dies. Similarly, each president can veto legislation, and his veto is sustained by a two-thirds vote of his ethnic members in the parliaments of either the Federation or the RS. Under this constitutional arrangement, governing is extremely difficult.¹⁸ Real power remains with the ethnic leaders of the Federation and RS. The pluralistic reconciliation that Dayton seeks to achieve will likely take decades, if it can be achieved at all.

The international community's major threat to compel compliance with the Dayton Accords—particularly by the Serbs—has been to withhold economic aid from the Bosnian

parties.¹⁹ But when one considers that only two percent of the aid to BiH in 1996 went to the Serbs, it is hard to understand how these threats mean much.²⁰ It is more likely that the Serbs will continue to appease the donors of aid with minimum compliance and delay, rather than seriously compromising their interests of maximum autonomy. If the Serbs succeed in this strategy, the other parties will only be encouraged to emulate. Thus, the Bosnian Croats are similarly motivated, but with only a slightly higher regard for money. All Bosnians suspect, however, that once the international community begins to achieve its desired political objectives in BiH, aid will wane.²¹ Bosnian parties doubt that economic aid will be as long lasting as the political concessions they are being asked to make. Bosnian understanding of these dynamics makes the West as much a hostage to economic aid as the Bosnians themselves. Indeed, economic conditionality is creating a dependency situation that virtually assures BiH will remain a ward of the international community for the foreseeable future.

Unless the international community is content with the decades that it will require for the Dayton strategy to succeed, partition may be a better solution. Ironically, a frequent criticism of the Dayton Accords, leveled by those preferring a unitary state, is that Dayton has already produced *de facto* partition.²² Serbs have local autonomy on their side of the IEBL. They have their own army, police, president and parliament, and recognition to interact with

their kin in Yugoslavia.²³ Though not as formal, divisions between the Croats and Muslims are equally real. Croats have their own police and military forces.²⁴ They exercise virtual autonomy in those communities where they predominate. And resettlement of Muslims in Croat areas is as contentious as resettlement in Serb areas.²⁵ In many ways, partition is already a reality.

THE PRACTICAL: RESETTLEMENT OF MINORITIES

Formal partition has two major drawbacks, one practical and one psychological. The practical problem is the return of minorities to homes that fall on the "wrong" side of a partition line. This has always been particularly vexing problem because of the highly interspersed character of the ethnic communities. Indeed, the real tragedy of the Dayton strategy is that after more than a year most refugees have still not returned to their homes.²⁶ Under Dayton repatriation rules, refugees must first apply for return and have their applications verified by local officials. All too often, this has resulted in refugee homes being destroyed or other "majority" refugees being resettled into those homes by local officials, thereby effectively blocking returns. The net result is that "minority" refugees are not returning, reconstruction is being frustrated, and the destruction of homes is actually continuing.

But the Bosnian parties have never been offered assistance in a program of supervised resettlement of

minorities based on fair-market compensation for lost property. In the 1920's, the Greeks and Bulgarians used this approach to successfully resettle and compensate 142,000 minorities across new national borders resulting from World War I and the Balkan Wars immediately preceding.²⁷ Granted, the resettlement task in BiH would be much larger (approximately 2 million persons), but the principles could be similar.²⁸ A minority wishing to relocate would be awarded full market value for any immovable property. Fair-market value would be determined by an international commission. The key to this program would be its voluntary nature. For example, a Muslim wishing to return to his home on the Serb side of the border, would have that right. But in that case, returnees would also become citizens of the Serb state and be required to accept its duly constituted laws. As with other states, the world community would expect the Serbs to recognize the human rights of that Muslim minority. But, as is also customary between nations, minorities would have to recognize there are limits to how intrusive one state can be in the internal affairs of another.

Some would argue that this constitutes virtual abandonment of minorities. If so, then that may already be the case, as was pointed out by a UNHCR representative at a recent press conference:

When we are asked [by] Muslims or Croats or Serbs who want to return [to] an area where they will be in a minority, when we are asked about their security situation for them individually, we always tell them that this is the responsibility of the local police. That's the only answer we can give.²⁹

Call it abandonment or call it reality; but even now Dayton recognizes that there are practical limits to the physical protection that can be extended to given individuals by outside forces.

Under a program of compensation, however, minorities could opt for full monetary compensation of all immovable property. The obvious question is who would pay? Interestingly, in the Greek-Bulgarian experience the compensation costs were mutually offsetting. When the commission determined compensation for a Greek living in Bulgaria wishing to relocate to Greece, the Bulgarian government paid the commission and took possession of the property. The Bulgarian government then sold that same property to Bulgarians relocating from Greece who had been similarly compensated through the commission by their former Greek government. While offsets were not exact, the compensation debts of the two governments largely canceled each other out as cross-settlement proceeded.³⁰

The same could occur in BiH. The majority of the compensation expense would arise from physical reconstruction costs because property would be compensated at its pre-war condition, even if subsequently destroyed or

damaged. Should compensation costs not completely offset, the international community has nonetheless already demonstrated a willingness to finance reconstruction.³¹ Compensation costs not offset by mutual resettlement could be covered by international credit, liquidated over time on schedules negotiated separately by the Bosnian parties.

Compensation could actually expedite the return of refugees and rejuvenate reconstruction. Why? Because once minority refugees relinquish property rights through compensation, they can, with money in hand, begin the reconstruction of new homes in areas not hostile to their settlement. Unless refugees relinquish their former property, international relief agencies are in a quandary what to do with them. They have no money to make a new start, and sympathetic governmental authorities cannot expropriate lands and homes in areas where they might be willing to resettle because title is still held by other minorities elsewhere. With compensation, this logjam would be broken and reconstruction accelerated.

THE PSYCHOLOGICAL: MYTHS OF WAR

The biggest obstacle to partition, however, is not the mechanics or even the costs. The biggest obstacle is psychological. Partition is unacceptable because it is perceived as rewarding aggression and justifying ethnic cleansing. This view holds that ethnic Serbs were genocidal aggressors in this conflict who, in concert with the former

Yugoslav Army (JNA) and under the direction of Slobodan Milosevic, sought a Greater Serbia. The Bosnian Muslims were the principal victims whose hopes for a multiethnic state were shattered by the expansionist designs of their Serb (and Croat) neighbors. This view has a powerful hold on the American psyche (and to a lesser degree other Western populaces) and significantly limits the strategic flexibility of political leaders.³² If you believe that Serbia waged a proxy war of aggression against Bosnia, you cannot accept partition—no matter how practical its merits—because it would be tantamount to rewarding aggression and justifying ethnic cleansing. Domestically, any policy perceived as appeasing aggressors is politically risky. While this popular perception of the war has a measure of truth, it also has an equal measure of distortion. Before political leaders can contemplate partition, the elements of this mythology must be exposed.

The key elements of the mythology are the intentions of the Serbs and how the war started. The popular notion is that the Yugoslav republics seceded in response to fervent Serb nationalism whipped up by Milosevic. The fact is that nationalism had tugged and pulled at Yugoslavia since its inception.³³ Furthermore, Milosevic did not object to the principle of secession. Rather he objected to the forced separation of over two million Serbs from the Serb nation caused by the specific secessions of Croatia and BiH.³⁴

It is well documented that Milosevic did not oppose

Slovenia's secession. What little fighting did occur, took place between Slovenes and the JNA, not between Slovenes and Serbs.³⁵ At this time, the JNA was not under Serbian control. Under Tito, the JNA had been elevated to a political status above the republics, answerable only to the Yugoslav presidency, and with the express purpose of preserving Yugoslav sovereignty.³⁶ The JNA leadership felt constitutionally obligated to resist Slovenian secession. When to their surprise, they met organized resistance in Slovenia, and further discovered that the other republics, including Serbia, did not intend to contest Slovenian secession, the JNA hastily retreated. Milosevic was unconcerned with Slovenian secession precisely because there were few Serbs in Slovenia.³⁷ Later, he exhibited this same attitude when Macedonia seceded. Again there were few Serbs in Macedonia.³⁸

The secessions of Croatia and BiH were entirely different, precisely because they were done over the objections of sizable Serbian minorities. The Bosnia and Krajina Serbs thought they had a solution. If the Slovenes, Croats, and others could declare their own independent states, then the Serbs would exercise their same right to self-determination. Thus, in the months preceding open conflict, they declared "Serb Autonomous Regions" in BiH and Croatia.³⁹ The Croat and Bosnian governments, however, refused to recognize these Serb Autonomous Regions and asserted the preeminence of their republican boundaries.

When the West backed Croatian and Muslim claims through diplomatic recognition of their states, the Serbs saw force as necessary to protect their cultural identity.

But could the Serbs not have worked within the emerging democratic system and had their rights respected? That is very easy for a Westerner to suggest, but difficult to apply in this case when there had never been any prior experience with democracy in Yugoslavia. The appeal of democracy has always been the concepts of liberty and self-determination embodied in the opening lines of the American Declaration of Independence and Constitution. Only later do the responsibilities of democracy sink in. Even in the American experience, it was later that the Bill of Rights was drafted and much later before the full benefits of democracy were extended to all citizens. With the first rush of democracy, solidarity and identification with one's community often predominates. Such was the case throughout Yugoslavia at this time. Ethnic politics dominated. In the new context of democracy and its precept of "majority rule," one's ethnic group either had the votes to rule or they did not.

But what did the Bosnian Serbs have to fear from the Muslims? A close look at the Bosnian constitution of 1974 is revealing. When the Yugoslav League of Communists broke up and each republic held its own elections in 1990, the outcome in BiH was the inauguration of no less than seven presidents—two representing each of the three ethnic groups and one representing those identifying themselves as

"Yugoslavs".⁴⁰ Among themselves, the seven presidents selected Alija Izetbegovic to represent them as their chairman.⁴¹

This curious and little noted outcome of the elections demonstrates how the Bosnian republic was intended to work. Each ethnic group was to be equally represented in the central government so that all important political decisions would be made by consensus.⁴² Unfortunately, that consensus immediately fractured over the hot political issue of the time—whether to remain part of Yugoslav Federation. The Bosnian Serbs wanted to remain, and their members of the collective presidency argued they could not be taken out of the Yugoslav Federation without their consent. To them, this fundamental constitutional question required consensus. When the Muslims and Croats, nevertheless, pushed for a nation-wide referendum on the matter, in consonance with recognition criteria recently announced by the European Community (EC), ethnic Serbs saw this as subverting the constitution, and they walked out of the government.⁴³ Clearly, the Serbs knew they lacked the votes to contest the referendum. The only way to protect themselves from what they saw as the unfair application of "majority rules" in this matter was to assert their own right to self-determination.

The Bosnian constitution says even more about the republic's roots. Many writers promoting the "historical sovereignty" of BiH contend that its roots go back to the

14th century and that the peoples of Bosnia have lived in multiethnic harmony for centuries.⁴⁴ Bosnia did exist as a medieval kingdom in the 14th and early 15th centuries.⁴⁵ But its rule never encompassed the current republican borders of BiH.⁴⁶ For five centuries, this region was ruled in succession by Ottomans, Austrians, and finally by a Serb king within the Kingdom of Yugoslavia. Not until 1945 did BiH appear in its current territorial form as one of the six constituent republics of Tito's communist Yugoslavia.

In Tito's communist lexicon, the word "republic" meant something different than it does in the West. To Tito, the republics were strictly administrative entities and not inherently sovereign.⁴⁷ Sovereignty was reserved for the ethnic groups, or "nations" as they were referred to. These were the Serbs, Croats, Slovenes, Macedonians, Montenegrins, and later the Muslims. His slogan "Brotherhood and Unity" sought to unify the "nations" in pursuit of the communist ideal. Despite Tito's best efforts to unify the Slavs in this way, the nationalist tendencies of the ethnic communities continued to tear at the fabric of his state.

Each ethnic group saw itself aligned territorially with one of the republics, and over time sought more autonomy for that republic. Throughout his rule, Tito used a flexible blend of repression and appeasement to mollify and defuse the nationalist aspirations of the communities.⁴⁸ But in BiH, where none of the "nations" predominated, the 1974 constitution took the form that each "nation" would be

equally represented in the government. Within the context of federated Yugoslavia and Communist Party rule, this governing arrangement proved workable. But when both of these frameworks collapsed in the hectic, upside-down-world of 1989-1991 (and democracy was adopted for the first time), it proved an explosive mix sitting atop an historic fault line.

The Muslims were not simply bystanders in this nationalistic ferment within the Yugoslav Federation. They had lobbied hard for their "national" status—finally granted in 1971—and saw BiH as their republic.⁴⁹ But Tito understood that Bosnian Croats and Serbs could not accept Muslim hegemony; and therefore established by the 1974 constitution a collective presidency for the republic. No other Yugoslav republic was set up this way. Interestingly, the Dayton Accords returned BiH to essentially this same constitutional arrangement. More interesting is the fact that if the constitutional principles in force today had been followed in 1991, BiH could not have seceded from Yugoslavia and the war might not have started.

Thus, the key myth of the conflict is how it started. The popular perception is that the Serbs started it for the purpose of creating a "Greater Serbia".⁵⁰ The Bosnian Muslims, on the other hand, were just minding their own business. In truth, secession from Yugoslavia was not innocent. It was not legal in accordance with the constitution of Yugoslavia, nor was it pursued in a way

considered legal by the parties within BiH.⁵¹ To the Serbs, this removed the state's moral foundation to exist. When the EC and United States recognized BiH anyway, despite the Serb formation of Autonomous Regions, the Serbs saw solutions based on further dialogue as fruitless.

But still, what did the Serbs have to fear from the Muslims? The answer requires further examination of the Muslim community and the political force it represented. Frequently, outsiders are puzzled by the classification of Muslims as an "ethnic" group. Islam is, after all, a religion. Ancestrally, the Bosnian Muslims are indigenous Croats and Serbs who converted to Islam during Ottoman rule.⁵² Their physical features are not unique. They speak the same language as their Serb and Croat neighbors. Nor are they distinguishable by their use of the Latin or Cyrillic alphabet as are many Croats and Serbs. Additionally, the Muslims are frequently portrayed as not strongly religious, so where is the problem?⁵³

The answer lies on two levels. First, many Croats and Serbs view this historical conversion with suspicion because the Ottomans favored Muslims over their other subjects.⁵⁴ Ottoman rule was hard and oppressive. The "Turk" is not loved in Serb and Croat folklore. But this level of animosity did not spark war, it only fueled it. The spark was the Muslim pursuit of political hegemony within the BiH state. If the Bosnian Muslims are not strongly religious, why then have they made religion their defining political

trademark?⁵⁵ Ethnically, they are no different than Serbs and Croats.⁵⁶ If their religion is not important, then one might expect them to vote like other Serbs and Croats? The fact is they do not and Islam carries important political baggage.

Generally in America, the separation of church and state is accepted, and religion is not perceived as having dominant influence on politics. Islam, however, has theocratic precepts inherently embedded. The concept of Islamic Law—unfamiliar to most Americans—is nonetheless vivid in Balkan recollections of Ottoman rule. Serbs and Croats do not view Muslim political hegemony as innocent. They look at Iran. They look at current troubles in Turkey over the role of Islam in government.⁵⁷ With little experience with Islam and its governmental influences, Americans have little appreciation for how threatened Croats and Serbs feel by Muslim ascendance to power. Americans generally do not recognize the Christian influences in their own culture and government. The influences are so subtle, they are frequently taken for granted. Nevertheless, the Muslim Sabbath is Friday, not Sunday. Before Koranic law, men and women are not viewed as equal. Nor are non-Muslims equal to Muslims before this law. Under previous Ottoman rule, the religious *mufti* were the local judges. So for Serbs and Croats, Muslim political dominance is not benign, but in fact, is seen as a potential cultural threat.

While I believe the Bosnian Serbs had political

grievances, they nonetheless went far beyond those grievances in prosecuting ethnic cleansing. Force of arms was probably necessary for Bosnian Serbs to secure their autonomy. And some degree of population relocation in BiH was probably inevitable. But the Serb solution of ethnically cleansing all territory they deemed Serbian, and insisting that those areas be both contiguous and militarily defensible, led to crimes against humanity for which they cannot escape responsibility.

But still the popular perception of this war goes too far when it asserts that the Serbs were bent on a war of conquest to enlarge a Greater Serbia. In truth, this was a war over governance within BiH, by the Bosnian parties. The governing "compact" that had evolved up to 1990 had been predicated on Communist party rule within the framework of a larger, federated Yugoslavia. As that vanished, each party sought to redefine the political landscape to serve their own interests. As the most populous group, the Bosnian Muslims opted for democracy and majority rule. Outnumbered, the Serbs opted for self-determination. The Croats, while sympathetic to self-determination, opted for political expediency and sided with the Muslims until the question of Serbs in Croatia had been resolved.

The popular perception of a war of aggression, however, involves major external actors. Most prominent is Slobodan Milosevic. The perception is that he fomented Serb nationalism for the purpose of a Greater Serbia. While

entirely correct that many Serbs in Bosnia and Croatia wished to align themselves with Serbia (to escape majorities they perceived as hostile), and that Milosevic was sympathetic to their plight, it is something else to say that Milosevic was intent on subjugating non-Serb lands and peoples outside of Serbia.⁵⁸ The Serbs can be rightly criticized for a "contiguous and defensible" strategy, but that was a strategy pursued chiefly by local Bosnian and Krajina Serbs, rather than a central plot from Serbia and what that psychologically connotes for the "war of aggression" perception.

In a matter of months following the start of hostilities, the Bosnian Serbs controlled almost seventy percent of BiH territory. They were aided in this effort by admittedly prodigious amounts of military equipment left at their disposal by the JNA. But JNA duplicity in this regard is overstated. BiH was the center of the Yugoslav defense industry.⁵⁹ Furthermore, following the earlier secessions of Slovenia and Croatia, much of the diminished JNA had been withdrawn into BiH before the start of the war.⁶⁰ As would be expected with the break up of the country, many soldiers vacated their posts to return to their newly independent homelands. The JNA slowly became almost wholly Serbian and Serbs naturally felt sympathy for their Bosnian kin, to say nothing of the fact that the Bosnian Serbs were fighting to remain part of federated Yugoslavia which the JNA was forsworn to defend.⁶¹ When BiH secession became a reality,

it is not surprising that Bosnian Serbs left the army with military equipment in hand.⁶² Many JNA leaders from Serbia had personal links with officers who became Bosnian Serb commanders, and it is clear they aided their Serb friends as the JNA withdrew.⁶³ But except for attacks along the Drina River in the immediate weeks following secession, direct action by the JNA in Bosnia was not widespread. By comparison, direct action by the Croatian Army in BiH was much more prominent.⁶⁴

After initial Bosnian Serb successes, the conflict lines became surprisingly stable until the final offensives by both sides in 1995.⁶⁵ The Bosnian Serbs sought to consolidate their territories, and in negotiations they showed willingness to concede territory for recognition of sovereignty.⁶⁶ Firsthand accounts also indicate that Milosevic was more willing to accept a general peace settlement than were the Bosnian Serbs.⁶⁷ In fact, a serious rift developed between Milosevic and the Bosnian Serbs after the Bosnian Serbs refused to accept the Vance-Owen Peace Plan,⁶⁸ leading Milosevic to subsequently close his border with the RS.⁶⁹ This is hardly what one would expect from a war of conquest for the purpose of a Greater Serbia.

Nor does this show Milosevic as the all-powerful, Serb master he is so frequently portrayed in popular mythology. Milosevic certainly exploited Serbian nationalism for his own aggrandizement, but nationalism was real in the hearts and minds of the Serbian people. Throughout his tenure as

President, Milosevic had to contend with political parties in Serbia that were more nationalistic than his own.⁷⁰ Even today as Milosevic faces serious "reform" opposition, the two most prominent members of that opposition have nationalistic credentials every bit as strong as his.⁷¹ Nationalism reflected the genuine mood of the majority of the Serbian people. No politician in Serbia then or now could have sought or held power by appeasing Croat or Muslim nationalism. Today, many Bosnian and Krajina Serbs in fact view Milosevic as a traitor to their cause.⁷² If there had not been a Milosevic, there would have been somebody else like him. The point is that popular demonization of Milosevic as fanning the flames of nationalism and plotting the conquest of BiH to create a "Greater Serbia" is a serious distortion that inhibits the West from seeing the Bosnian conflict as an internal civil struggle. This misapprehension significantly restricts policy options. Until the nature of the conflict is recognized as inherently a civil war, Western leaders will have difficulty contemplating partition on any basis whatsoever.

The myth of Serbia's proxy war of aggression has also been assiduously cultivated by the Bosnian Muslims themselves.⁷³ Clearly, the Muslims had witnessed war in Croatia where Serbs had defended their autonomous regions. The Bosnian Serbs had likewise declared their autonomous regions. Bosnian Serb rhetoric was clear.⁷⁴ In retrospect, we now know that Izetbegovic put faith in the defense of his

country in the hands of the international community.⁷⁵ He expected the West, once having recognized his country, to defend it similar to the way UNPROFOR had entered Croatia. Thus, early on, the Muslims cultivated a public relations image as victims of aggression, principally to influence the United States.⁷⁶ Their sympathetic image in Western media continues today, and has proven to be their most powerful tool in preserving a unitary BiH.

The point is not to turn history on its head and paint the Muslims as evil. Rather the point is that popular distortions about the conflict make it psychologically difficult—nearly impossible—for the West to consider solutions not preserving the territorial integrity of BiH. The perception of a proxy war of aggression by "demonized" outside forces means the West is locked into the Dayton paradigm of preserving a unitary state. In this context, partition would elicit such a protest from the public that few Western politicians could endorse it.⁷⁷

CONCLUSION: PEACEFUL SELF-DETERMINATION

The Dayton process will take a long time, maybe generations to succeed, if it can succeed at all. Dayton attempts to take people with no previous democratic experience, and in one giant leap, move them to accept multicultural democracy. We still have some problems with this in America! Only thirty years ago, the United States witnessed a major civil rights transformation—despite the

benefit of one hundred and fifty years of democratic experience. Only two years ago, Canada nearly split apart over multiculturalism. To expect Bosnians to immediately realize this multicultural ideal, with all their history of ethnic tension and the added dimension of Islam is a pretty tall order.

But a partition solution also conjures up capitulation to ethnic strife. Ethnically dividing Bosnia risks fueling other ethnic and religious separatist aspirations around the world.⁷⁸ There may be good reason to defend the inviolability of borders. But this logic highlights prevailing attitudes on self-determination, that frequently differ between emerging and established states, and which may even change over time within states. An emerging nation embracing self-determination in its formative stages often rejects those same principles as "unstable" as it becomes more established.⁷⁹ This contradiction can be overcome by adopting a policy of support for self-determination when and where it can be pursued peacefully. A negotiated partition for BiH, with a voluntary transfer of peoples, can set a powerful example for resolution of similar tensions elsewhere. The "velvet divorce" of Slovakia and the Czech Republic is another positive example that has, incidentally, not made the world more unstable.

Satisfying desires for autonomy among aggrieved peoples locked within what they view as unnatural states may actually enhance world peace. For example, the ICB suggests

that in the Balkans Kosovo may be as explosive as Bosnia.⁸⁰ By recognizing self-determination in BiH, the West could for the first time address the only true solution in Kosovo, which is independence for the Kosovar Albanians. Adherence to the "inviolable" republican borders of the former Yugoslavia, simply solidifies Serbia's hold on Kosovo and perpetuates the problem of ethnic animosity. However, a negotiated partition in BiH, could be beneficial in resolving Kosovo and similar ethnic conflicts around the globe.

Partition is also influenced by the issue of ethnic cleansing. Partition on political grounds, however, should not be construed as pardoning war crimes or condoning ethnic cleansing. War trials must continue under the War Crimes Tribunal, both as a means of healing the wounds in BiH and demonstrating an international will to deter similar acts in the future. But, such crimes must also be handled as matters of individual responsibility, and not political punishment for entire communities. Can war crimes' cooperation be achieved under partition? Maybe not, but the local autonomy extended under Dayton has not produced cooperation either. At least under partition, certain parties may prove more willing to cooperate on specific individuals once they know their fundamental communal concerns have been addressed.

Is partition good for BiH? A good test would be to put partition and the program of compensated resettlement to a

referendum before the Bosnian people.⁸¹ If supported, partition could break deadlocks on resettlement and increase the speed of reconstruction. Nor should one underestimate the positive effect of permitting the parties to meet at the bargaining table as sovereigns, not subject to political domination of another within a single nation-state.

Could the parties actually agree to the details of a negotiated partition? The obvious dissenters would be the Bosnian Muslims. Serious territorial issues remain to be resolved, of which Brcko is only one. Length constraints preclude examining these issues, but incentives on territory, aid, and security could induce the Muslims to accept partition.⁸² But to achieve a partition settlement, the Contact Group must be willing to impose such a solution and economically underwrite its security and compensated resettlement foundations in ways similar to the investments they made for Dayton.⁸³ The Contact Group cannot air internal dissension nor permit an indefinite postponement of a solution by one of the Bosnian parties as they did during the war. While clearly preferable to satisfy each Bosnian parties as much as possible, the Contact Group need not abrogate all authority to impose a final settlement if they are also expected to underwrite its economic and security foundations.

The international community can bring the Bosnian situation to closure. They must first, however, put the conflict in context. The Dayton Accords have served a vital

role in separating the warring parties and have made an honest effort at political reconciliation. But it should be clear by now that multicultural reconciliation within a unitary Bosnia cannot be achieved for many years to come and without an investment beyond the means of the international community. A negotiated, but imposed partition, combined with international assistance in the voluntary and compensated exchange of minorities can create the stable political framework required for peace and reconstruction. It is in the best interest of not only the Bosnian people, but also other peoples around the world beset with similar strife and yearnings for cultural autonomy. While multiethnic democracy is certainly preferable, it may not yet be within the grasp of the Bosnian people. They may need democratic experience in a nationalistic framework before they can comfortably step beyond that. And with ethnic tensions endemic elsewhere in the world, the West cannot afford to over-concentrate on BiH. Currently, much time, effort, and resources are being frittered away in ways that do not serve even the immediate parties.

The major obstacle to resolving Bosnia is the psychological unwillingness of the West, particularly the United States, to accept the partition idea. As long as the war is portrayed as a proxy war of aggression, partition means rewarding aggression and justifying ethnic cleansing and could not be endorsed by Western politicians. If, on the other hand, the conflict is viewed as a civil war

between communities which had never before lived together in an independent state and which possess irreconcilable cultural differences, then partition is a logical solution to mutual self-determination. It allows all parties to return to the negotiation table as equals and devise a solution that allows each to pursue their future in ways for which they have direct responsibility.

ENDNOTES

¹ The most notable example is the Muslim-Serb confrontations in the northeastern Bosnian villages of Gajevi and Jusici (near Celic) in November 1996 when hundreds of Muslims attempted to return to their former homes on the Serb side of the Zone of Separation (ZOS), but were blocked and fired upon by Serb police. SFOR troops intervened and halted the Muslim return until their applications for return could be verified. Once these applications for return were approved, however, violence flared again in January 1997 when 36 Muslim families representing 168 people attempted to return to their homes. Nonetheless the attempted return resulted in additional attacks by Serbs, the blowing up of a key bridge crossing, and destruction of Muslim rebuilding materials. Nonetheless, reconstruction of Muslim homes recommenced in February under the vigil of SFOR troops. Construction was interrupted, however, on 2 March 1997 when a crowd of 150 Serbs descended on the village and burned 11 Muslim houses. On 11 March 1997, Serbs torched the last remaining Muslim house in Gajevi. Future settlement is uncertain. See SFOR, "Transcripts of Press Briefings," 20-23, 27-28 January 1997 and 3-4 February 1997, and 3 March 1997 at <<http://www.nato.int/ifor/landcent>>. January-March 1997. Also see Mike O'Connor, "2d Day of Bosnia Fighting Is Worst Since '95 Pact," New York Times, 13 November 1996, p. 1, and J. P. Barham, "Last Muslim Structure in Gajevi Burned Down," European Stars and Stripes, 13 March 1997, p. 1.

² A wave of bombings (nearly 300) occurred in October and early November 1996, but have continued sporadically since. See Christine Spolar, "Blowing Up Houses Is Tactic in Bosnia's Latest War of Nerves," Washington Post, 26 October 1996, p.19, and Mike O'Connor, "Defiantly, Bosnian Serbs Blow Up Muslims' Homes," The New York Times, 8 November 1996, p. 10. The UN reported 35 incidents of property being blown up in the Croat town of Capljina in October through December 1996. See OHR Bulletin 30, December 20, 1996. <<http://www.ohr.int/bulletins>>. Another 20 houses were blown up in Capljina in the first three weeks of January. See SFOR Transcript of Press Briefing, 24 January 1997. More recent burning incidents have occurred in Muslim area of Drvar on 29-30 January 1997. See SFOR Transcript of Press Briefing, 5 February 1997.

³ Carl Bildt cites Bosnian Serb and Croat authorities as responsible. See Report of High Representative for Implementation of the Bosnian Peace Agreement to the Secretary-General of the United Nations, 10 December 1996. <<http://www.ohr.int/reports>>. January 1997, paragraphs 67-68. The same attitude regarding Croats was reiterated more recently by his press secretary. See SFOR Transcript of Press Conference, 24 February 1997. Human-rights and media groups have published the whereabouts of many of these suspected war criminals. Several indicted Serbs are in the employ of RS governmental entities. International leaders, however, have refused to

order their arrests for fear of endangering peacekeeping soldiers in BiH. See for example Wall Street Journal, "Dayton's Feet of Clay," 5 February 1997, p. 18; Christopher Lockwood, "U.S., Britain, France Plan to Nab War-Crimes Suspects," Washington Times, 11 February 1997, p. 13; Elizabeth Neuffer, "Bosnia's War Criminals Enjoy Peacetime Power," Boston Globe, 29 October 1996, p. 1; Sabina Cosic, "Serb Atrocity Suspects Working as Policemen," Washington Post, 30 October 1996, p. 30; Steven Lee Myers, "Rights Group Says Bosnian Suspects Flaunt Freedom," New York Times, 26 November 1996, p.11; Stacy Sullivan, "Bosnia's Most Wanted Mostly Accessible," Washington Post, 27 November 1996, p. 21, and Morris B. Abrams, "Will War Criminals Escape Justice?" Wall Street Journal, 1 April 1997, p. 18.

4 UN reported in December 1996 that expulsions in west Mostar had risen to 69 for 1996. Later the UN reported 83 evictions of non-Croats from west Mostar in the first six weeks of 1997. In one well documented case in west Mostar of a 71 year old lady who apparently died of a heart attack during the eviction that occurred Christmas Day 1996. The UN reported that this elderly lady's apartment was occupied shortly thereafter by a Croat (HVO) soldier. Similar harassment has occurred in Serb areas leading to the departure of more than 200 Bosniaks from Kotor Varos, and almost 100 people from Bosanska Gradiska in late 1996. See OHR Bulletins 28, 32 & 33, and SFOR Press Transcripts, 4 & 13 February 1997.

5 See Statement by the High Representative, Mr. Carl Bildt, to Humanitarian Issues Working Group, 16 December 1996. <<http://www.ohr.int/speeches>>. December 1996. Also see Raymond Bonner, "Who's Beating Swords Into Plowshares in Balkans: A Score Card," New York Times, 20 December 1996, p.13. The magnitude may best be illustrated by the results of a recently concluded, 4-week, temporary suspension on confiscation of undeclared weapons by SFOR in which the Bosnian parties revealed the previous unknown existence of "a few tanks, several artillery pieces, many anti-tank weapons, thousands of mines, and a substantial amount of artillery and small arms ammunition. See SFOR Press Transcript, 24 February 1997.

6 See Dana Priest, "The Hidden Terror of Bosnia's Mines," Washington Post, 7 March 1997, p. 1, and Mike O'Connor, "Officials Blame Bosnia and Themselves for Mine Clearing Delays," New York Times, 28 October 1996m p. 8. Also see Report of High Representative, 10 December 1996, paragraphs 77-79.

7 Originally set for 15 December 1996, the Brcko decision was postponed to 15 March 1998. Fear of renewed fighting spurred the postponement. Hostile rhetoric was prevalent on both sides. Even Alija Izetbegovic is reported as stating to the press "We are the stronger side. If there is a war over Brcko there is certainly no doubt who would win such a war." See OHR Bulletins 30 & 34. February 1997. Also see Daniel Williams, "Final Ruling on Bosnian City Delayed a Year," Washington Post, 15 February 1997, p.1/25. The postponement ruling appears not to have satisfied either side, as neither the Serb or Federation representatives to the arbitration panel were present at the official

announcement. Angry Muslim demonstrators, in particular, protested outside the American military base of McGovern near Brcko. See AP wire, "Bosnian Muslims angry at U.S. in city deal." Baltimore Sun, 14 February 1997, p.1/12. Noteworthy in this regard, was Carl Bildt's report to the UN Secretary-General in early December 1996 when we wrote, "In the early part of the year, the Brcko arbitration must find a permanent solution to this complex problem." See Report of High Representative, 10 December 1996, paragraph 95. For a complete discussion of the reasons and circumstances behind the decision to postpone municipal elections, see SFOR Transcript of Press Briefing, 7 March 1997.

⁸ Despite proclamations to the contrary, and numerous appointments of judges, cabinets, and military commanders, the Federation government barely functions. See Brendan O'Shea, "Bosnia's Muslim/Croat Federation: A Step in the Right Direction or Another Recipe for Disaster?" Studies in Conflict & Terrorism, 19, no. 4 (1996) pp. 403-412, and Miodrag Ivanovic, "Bosnia and Herzegovina: the Dayton Peace Agreement and America's Policy between Hope and Fraud," Defense Analysis, 12, no. 3 (December 1996), pp. 345-346. In his December report to the UN, Carl Bildt wrote, "The structural problems that impede full implementation of the Federation which was described in my last report continue to persist." See Report of High Representative, 10 December 1996, paragraphs 40-43. Correspondingly, the London Conference on Bosnia rebuked the Federation for failing to establish the Federation Implementation Council agreed to in the Federation Forum of May 1996 and, in particular, noted the unauthorized occupation of the newly constructed (with international funds) city administration building in west Mostar by "so-called Herceg-Bosna authorities" and called for immediate dissolution of remaining structures of the "so-called Croatian Republic of Herceg-Bosna." Report of London Conference, "Bosnia & Herzegovina 1997: Making Peace Work," 04-05 December 1996. <<http://www.ohr.int/docu>>. A Federation Forum held immediately thereafter appeared to meet the London Conference demands, but that was later followed by a Croat boycott of the Federation House of Representatives on 22-23 January 1997 over yet unresolved questions concerning the selection of a new Federation President and Vice President, and a 6 February 1997 walk-out of the Federation government by Croat representatives over draft laws for constituting seven new municipalities and changing the borders of the Jajce municipality. See OHR Bulletins 29, 34-36, 17 December 1996 - 11 February 1997. Probably most indicative of the problems with the Federation is the recent establishment of the office of a Deputy High Representative in Mostar, officially to more closely cover events in southern BiH, but in reality to assist the High Representative in monitoring the Federation. See OHR Bulletin 29, 17 December 1996.

⁹ Speech of the High Representative, Mr. Carl Bildt, "Opening Remarks at the Economic Policy Forum," Sarajevo, 12 January 1997. <<http://www.ohr.int/speeches>>. For summary of economic assistance for 1996, see OHR and Economic Reconstruction at <<http://www.ohr.int/info/info2.htm>>, December 1996.

¹⁰ On 10 February 1997, a crowd of several hundred Muslims attempting to march

to a cemetery in west Mostar as part of a religious day observance were stopped and fired upon by a group of Croat off-duty policemen. One Muslim was killed and twenty were injured. That night 28 Muslim families were expelled from west Mostar and barricades went up that virtually closed west Mostar from the mostly Muslim east Mostar.

Telephone service between the two parts of the city was severed. An investigation by the International Police Task Force (IPTY) conclusively documented the involvement of Croat police, including the deputy police chief of west Mostar. The UN High Representative Mr. Carl Bildt immediately asked for the criminal trial of the police officers involved. On 20 March 1997, the officers were tried and found guilty of "mistreatment in the discharge of duty and given suspended sentences of one year or less. The UN High Representative called the trial "a complete mockery." See SFOR Transcript of Press Briefings, 11, 12, 14, 19 February 1997 and 6, 7, 21, 24 March 1997. Also see OHR Bulletin 42, 29 March 1997. For complete details of IPTF report, see IPTF Transcript of Press Briefing, 26 February 1997. Also see Dan De Luca, "Bosnian Croats Accused in Attack on Muslims," Washington Post, 11 February 1997, p. 17, AP release, "Croats Evict 100 Muslims in Bosnia," New York Times, 12 February 1997, p. 11, Jonathan C. Randal, "Croat Police Blamed in Attack on Muslims," Washington Post, 27 February 1997, p.24, and Chris Hedges, "On Bosnia's Ethnic Fault Lines, Tensions Are High but the World Is Silent," New York Times, 28 February 1997.

¹¹ The Federation was created in March 1994 under the sponsorship of the United States. Recently Colum Murphy, Press Secretary for the UN's High Representative in BiH remarked, "But beyond recent events in Mostar, the Federation as a whole is facing a severe crisis." See SFOR Transcript of Press Briefing, 26 February 1997. An earlier article highlighting the Federation's troubled past is John Pomfret, "Croats and Muslims: United They Fall Out," Washington Post, 3 December 1996, p. 21

¹² An indication of the continuing Croat-Muslim tension is that fact that SFOR troops regularly patrol west Mostar despite the fact that no IEBL exists in Mostar. The reconciliation history of Mostar is an interesting bell weather for Bosnia itself. Mostar has been under European Union (EU) administration since July 1994. Its mandate was to unite the city under a self-governing, multiethnic administration. EU administration brought considerable improvements in the city infrastructure and living conditions even before Dayton was implemented. And yet the city is not united. In March 1996, the EU administrator, Hans Koschnick, resigned in disgust and frustration. Municipal elections in Mostar in June 1996 confirmed ethnic divisions. And now there is the incident of 10 February 1997. See Leo Tindemans et. al., Unfinished Peace Report of the International Commission on the Balkans, (Washington: Carnegie Endowment for International Peace, 1996), pp. 82-83, 89-90.

¹³ Report of High Representative, 10 December 1996, paragraphs 74-75. In fact, reconstruction efforts have largely been concentrated in the Sarajevo and Tuzla areas, but significant aid has also gone into Mostar. See Statement by the High Representative, 16 December 1996.

¹⁴ The official "stabilization period" in BiH is programmed for two years until approximately December 1998. See Report of High Representative, 10 December 1996, paragraph 7. The International Commission on the Balkans (ICB), writing in the spring of 1996, suggests that the Dayton process, which they support, will take "several years" past the December 1996 end date of the "implementation period. See Tindemans, p. 87.

¹⁵ Partition has been advocated for a long time, even before the fighting in BiH began. As early as 13 July 1991, shortly after the Slovene and Croatian declarations of independence, the Dutch government, which had just assumed the rotating six-month presidency of the EC, proposed that the EC support the voluntary, peaceful redrawing of internal republican borders of Yugoslavia to reduce the number of minorities in each republic. The proposal was rejected by the other members of the EC as impractical given the high interspersion of the ethnic communities and on philosophical grounds related to opening a potential "Pandora's box." See David Owen, Balkan Odyssey, (New York: Harcourt, Brace & Company, 1995, pp. 31-33. Nevertheless, the idea arose again in February 1992 at the EC conference in Lisbon where Lord Peter Carrington of the United Kingdom proposed dividing Bosnia into a confederation of three states. What became known as the Carrington-Cutilheiro Plan (after Ambassador Jose Cutilheiro from Portugal, then president of the EC) was ultimately signed by the Bosnian Serb, Croat, and Muslim leaders on 18 March 1992. However, a few days later in Sarajevo, Alija Izetbegovic, who had signed for the Muslims, renounced the Lisbon agreement. See Maynard Glitman, "US Policy in Bosnia: Rethinking a Flawed Approach," Survival, 38, no. 4 (Winter 1996-97), pp. 69-70, and Mark Thompson, "The Final Solution of Bosnia-Hercegovina," in Rabia Ali and Lawrence Lifschultz, eds., Why Bosnia? Writings on the Balkan War, (Stony Creek, CT: The Pamphleteer's Press, Inc., 1993, p. 169. Mark Thompson argues the thoughts of many that the intermixed populations made ethnic partition impossible. During the war, the Vance-Owen Peace Plan (VOPP), the Vance-Stoltenberg Plan, and the Contact Group Plan were called partition plans by their critics, although their authors would strongly denied that. See Ali, pp. xxxiii-xl, and Tindemans, p. 47. During the war, partition was advocated by writers such as John J. Mearsheimer and Robert A. Pape. See "The Answer, A Partition Plan for Bosnia," The New Republic, 208, no. 24, issue 4091 (June 14, 1993), pp. 22-28. After the war, partition has continued to be advocated by Thomas L. Friedman, New York Times editorialist, Maynard Glitman, former US Ambassador to Belgium, and Professor Chaim Kaufmann of Lehigh University. Radha Kumar in her recent article, "The Troubled History of Partition," Foreign Affairs, 76, no. 1 (January-February 1997), while arguing against partition, nonetheless notes that the idea has a sizable following.

¹⁶ The most serious incidents occurred during WWII when Nazi Germany set up the fascist Independent State of Croatia that encompassed most of present-day Croatia, BiH, and parts of Serbia. Serbs in Krajina, Hercegovina and east of the Drina river suffered grievously at the hands of the Croatian Ustase, touching off an internal war in which an estimated 1.7 million Yugoslavs died, mostly at the hands of other Yugoslavs.

See T. D. Allman, "Serbia's Blood War," in Ali, Why Bosnia?, p. 55 and Christopher Bennett, Yugoslavia's Bloody Collapse, (New York: New York University Press, 1995), pp. 43-46. But tensions go back further to the Serb-led revolts against Ottoman rule throughout the nineteenth century, and Muslim opposition to occupation of BiH by the Austrians in 1878. See Mark Pinson, ed., The Muslims of Bosnia-Herzegovina, (Cambridge, MA: Harvard University Press, 1993), pp. 73-82.

¹⁷ US Department of State, General Framework Agreement for Peace in Bosnia and Herzegovina, Annex 4, Constitution of Bosnia and Herzegovina. Shortly after the election of the three member presidency in September 1996, a significant controversy occurred over the ethnic makeup of the Council of Ministers as specified by the Accords. Article 5 of the Constitution specified that "the Presidency shall nominate the Chair of the Council of Ministers," without specifying which ethnic group that Chair might come from. As expected the three presidents could not agree. Also, Article 5 specified that "no more than two-thirds of all Ministers may be appointed from the territory of the Federation." There being a total of six ministers to appoint, the Muslims proposed that three should be Muslim, two Serb, and one Croat in proportion to the relative size of the ethnic communities, and still be within the stipulations of the Accords. The Croats objected in favor of a 2-2-2 split. Nevertheless after several weeks, the UN High Representative worked out an arrangement where the Chair of the Council of Ministers rotates weekly between the Federation and the Republika Srpska, and a Croat permanently holds the position of Vice Chair, not previously identified in the Dayton Accords. In addition, the Council was established in favor of the Croat 2-2-2 formula. See CNN World News, "Deal Reached on Bosnia's Governmental Structure," at <<http://www.cnn.com/WORLD/9612/01/bosnia.govt>>. December 1996. As an important matter of perspective, it should be noted that none of the three ethnic groups in BiH commands an absolute majority. The 1991 Yugoslav census recorded the ethnic makeup of BiH as 43.6% Muslim, 31.3% Serb, and 17.3% Croat. The remainder classified themselves as either "Yugoslavs" (5.5%) or other minorities (2.3%). See Stjepko Golubic, Susan Campbell, and Thomas Golubic, "How Not to Divide the Indivisible," in Rabia and Lifschultz, eds. Why Bosnia?, pp. 209-232 and Tindemans, p. 84. The political allegiance of the 5.5% is a matter of some controversy. Some writers contend that by declaring themselves "Yugoslavs", they indicated a preference for a "multiethnic" Bosnia, thereby giving the "multiethnic" forces in BiH, represented by the Muslims, a near popular majority. See Ali, pp. xxxii-xxxiii. On the other hand, we know that Ratko Mladic, the Bosnian Serb general currently indicted on war crimes, also classified himself a "Yugoslav" for the 1991 census because presumably as an officer in the Yugoslavian Army (JNA), such classification was considered politically correct. See Owen, p. 156. Ethnic minorities exist in sizable numbers throughout many states of Eastern Europe and the former Soviet Union. But only in BiH and Kazakhstan, do we encounter dominant ethnic groups that do not command an absolute majority and where the sum of the minorities actually exceeds the largest ethnic group.

¹⁸ The best example of this difficulty is the inability the central government in BiH

to act on the so-called "Quick Start Package" of economic reforms and measures necessary to stimulate economic reconstruction. The UN High Representative placed that package of proposed laws was placed before the central government immediately after the September 1996 elections, and at the time of this writing (April 1997), the main issues have still not been acted upon. The inability of the central government to act on these measures has indefinitely postponed the next Donor's Conference (originally scheduled for March 1997) designed to coordinate the next round of reconstruction financing. See SFOR Transcript of Press Briefings, 25 March and 3 April 1997.

¹⁹ The "conditionality" of economic aid has been a frequent theme of the international monitors in BiH. See Craig R. Whitney, "Bosnia Foes Told to Make Peace in 2 Years or Lose Economic Aid," New York Times, 15 November 1996, p. 3, and Fred Barbash, "Conference Hints Cutoff of Aid to Bosnian Rivals," Washington Post, 5 December 1996, p.39, as well as Speech of High Representative, 12 January 1997. Also see "Remarks by the High Representative Mr. Carl Bildt at the Donor's Information Meeting, Brussels, 9 January 1997 at <<http://www.ohr.int/speeches>>. But international monitors readily admit that implementation of this policy is quite a tricky matter, as aid is used both as a carrot and a stick and has sticky humanitarian considerations. See remarks by Colum Murphy, SFOR Transcripts of Press Briefing, 5 and 11 March 1997. The ICB notes in this regard that the World Bank and other financial institutions lack concrete mechanisms to implement economic conditionality. Furthermore, they note that implementation is frequently undermined by donor countries (Europeans versus Americans, for example) who find it difficult to agree on something as subtle and fine as economic conditionality. See Tindemans, p 97. A further example of the mixed signals that this concept can send, is Carl Bildt's recent recommendations for a large increase in reconstruction aid to the Brcko region. Recently Carl Bildt has stated that Brcko represents the center of the Bosnian resettlement problem and if it can be solved in Brcko, it can lead the way for the rest of BiH. Thus he wants a sizable increase in reconstruction aid to the area. Paradoxically, the parties' lack of cooperation on resolving the Brcko question was the principle reason why the arbitration decision was postponed. So it would seem in Brcko that the international community is pursuing a policy that is contrary its professed theme of economic aid "conditionality". For recent remarks on Brcko, see Press Conference of the High Representative, Mr. Carl Bildt, following the meeting of the Steering Board of the Peace Implementation Council, and Press Conference Given by Mr. Carl Bildt, High Representative at the Brcko Implementation Conference at <<http://www.ohr.int/press>>, 19 February and 7 March 1997. Also see Brcko Implementation Conference, Chairman's Conclusions at <<http://www.ohr.int/docu>>, 7 March 1997.

²⁰ Report of High Representative, 10 December 1996, paragraph 74. It may be that Serb intransigence has caused the two percent outcome. The two percent may be proof that international community is serious about enforcing economic conditionality. But which ever way it is, the point is that the Serbs have not demonstrated much concern for economic aid in exchange for the political concessions that are being asked.

²¹ Mr. Carl Bildt, UN High Representative, has told the parties that world budgets are tight and that there will come a time when aid will be reduced for a number of reasons. See Remarks at Donor's Information Meeting, 9 January 1997. Similar warnings have been issued by the British Foreign Secretary. See Press Conference, the Secretary of State for Foreign & Commonwealth Affairs, the Rt. Hon. Malcolm Rifkind QC MP, and the High Representative, Mr. Carl Bildt, London, 5 December 1996 at <<http://www.ohr.int/press>, December 1996.

²² Kumar, p. 22.

²³ The only significant functions assigned to the central government are Foreign Policy & International Trade, Customs, Monetary Policy, and regulation of inter-Entity transportation. See General Framework Agreement for Peace, Annex 4, Article III. The Accords also recognize that the Serbs have the right to "special parallel relations" with Yugoslavia.

²⁴ For insight on Croat police problems, see Mike O'Connor, "Threat to Bosnian Peace: Rival Police," New York Times, 12 January 1997, p. 8. The Federation army of Muslims and Croats is not integrated. Despite the appointment of a Muslim chief of staff and a Croat deputy, the Federation consists of 14 brigades organized into four corps. One corps of four brigades is exclusively Croat, while the other ten are exclusively Muslim. Under the United States sponsored "Train and Equip" program, a brigade's worth of heavy equipment (45 M60 tanks and 80 M113 armored personnel carriers) has been brought into the country for the purpose of fielding an integrated, evenly manned Bosnian-Croat "rapid reaction brigade" headquartered in Sarajevo. Details on actual numbers of troops, however, remain unsettled. See Barbara Starr, "Bosnian-Croat Command to Field Reaction Brigade," Jane's Defense Weekly, 27, no. 6 (12 February 1997), p. 4, and Bradley Graham, "Ex-GIs Work to Give Bosnian Force a Fighting Chance," Washington Post, 29 January 1997, p. 1. For additional background on controversies and difficulties surrounding the US "Train and Equip" program, see John Pomfret, "U.S. Starts Delivery of Heavy Weapons to Bosnia's Muslim-Croat Forces," Washington Post, 22 November 1996, p. 44.

²⁵ The most notable example of confrontation between Croats and Muslim refugees has occurred in the southeastern Bosnian town of Stolac where on 31 January 1997 a crowd estimated at 200 Croats blocked and stoned a convoy of nine Muslim families attempting to resettle. Despite escort by UNCHR and SFOR troops, the convoy turned away. UNCHR officials subsequently claimed that they had renegotiated a return for these families scheduled for 14 February 1997, but that was put on indefinite hold following the Mostar violence of 10 February 1997. See SFOR Transcripts of Press Briefings, 3-6, and 19 February 1997, and OHR Bulletin 36, 11 February 1997.

²⁶ The UNHCR estimates that between 200,000-250,000 refugees returned to BiH in 1996, almost all to areas where they were not a minority. Approximately 1,030,000

refugees remain outside the country, with the largest contingents being in Germany (320,000 from BiH alone), Croatia and Serbia. Somewhere between 600,000 and almost one million refugees remain internally displaced within BiH itself. See Report of High Representative, 10 December 1996, paragraphs 50-53, OHR Bulletin 36, 11 February 1997, and Tindemans, p. 8. Germany estimates are taken from Philip Smucker, "German Troops Possibly Key to Keeping Peace in Bosnia," The Washington Times, 21 January 1997, p. 13. For perspective on how these refugees are causing problems in Germany, see William Drozdiak, "Germany Steps Up Expulsion of Bosnian Refugees," Washington Post, 5 December 1996, p. 44. The ICB reports that refugee returns since Dayton have tended to consolidate ethnic divisions. See Tindemans, p. 99. As dismal as the record of minority returns has been, it is even more depressing when you consider that so far the priority for minority returns thus far has been to the Zone of Separation (ZOS) where the presence of SFOR troops was expected to enhance its prospects. However, the events in Gajevi have cast grave doubts on the future of minority returns, where even unarmed Serbs have repeated foiled Muslim resettlement in spite of SFOR presence. The High Representative's new strategy for 1997 seems to be a concentration on minority returns in Brcko. To accomplish this, he has established a special observer administration for the city and requested 200 additional UN international police monitors (on the basis of one per every Serbian policeman in the city, or 100% police monitoring), and has targeted increased economic reconstruction for the region. Carl Bildt recently stated, "Brcko is really the focus of the conflict, you can say. The control of Brcko decides the control of Bosnia and . . . substantial part of the Balkans, de facto. . . Then you can say that we are going to take this very, very hotly contested area . . . and during one [next] year make it into the very model of the implementation of some of the most difficult aspects of the most ambitious peace agreement in history." By "most difficult aspects of . . . peace agreement," he is referring to minority resettlement. See Press Conferences of the High Representative, Brussels, 19 February 1997 and Vienna, 7 March 1997. Also see Statement by the High Representative, Geneva, 16 December 1996. As many as 80 Muslim families have moved in and repaired homes in the ZOS near Brcko under the eye of American SFOR troops. See Jonathan C. Randal, "GIs Help in Revival of Contested Town," Washington Post, 1 April 1997, p. 12.

²⁷ Stephen P. Ladas, The Exchange of Minorities Bulgaria, Greece and Turkey, (New York: The MacMillan Company, 1932), pp. 1-322. In the context of the current conflict in BiH, resettlement compensation along the lines of the Greek-Bulgarian experience has been suggested by Mearsheimer and Pape, p. 28. The Dayton Accords actually does establish a Commission for Displaced Persons and Refugees consisting of nine members, four from the Federation (presumably two Muslim and two Croat), two from RS, and three members appointed by the European Court of Human Rights, with one of those three serving as Chairman. It has the authority to adjudicate real property claims and make compensation, through bonds if necessary, based on pre-war (prior to 1 April 1992) value. However, that is not its principle charter. Its primary role is to facilitate return of persons to their original homes. Furthermore, it is hampered in its "compensation" function by the fact that all of its expenses are to be paid by the Bosnian

parties directly and that "the Fund" from which to make disbursements is supposed to be set up with the Central Bank of BiH. That Central Bank has not been established by the Bosnian parties, despite the urgent appeals from the UN High Representative. See Annex 7, General Framework Agreement for Peace and SFOR Transcripts of Press Briefings, 25 March 1997. Recently a 400,000 ECU grant was approved in support of the Dayton Commission on Real Property Rights. OHR Bulletin 39, 6 March 1997.

²⁸ The key principles of the Greek-Bulgarian exchange program were: 1) the commission was composed of representatives from Greece, Bulgaria and neutral members appointed by the League of Nations; 2) claims to immovable property or property rights were substantiated by title, deed, court rulings, tax records, or reliable testimony; 3) property was appraised by architects, agronomists, foresters, or other qualified experts employed by the commission; 4) claimants were paid by the commission partly in cash (10%) but mostly in government bonds (90%) issued by their new country of settlement; 5) claimants were permitted the option of direct sale in lieu of liquidation through the commission; 6) the commission made restitution to all outstanding creditors and arbitrated outstanding taxes on behalf of the claimants; 7) property was liquidated at full pre-war value, regardless of damage by war or outside human intervention; 8) compensation included pensions owed the claimant by his former country; and 9) compensation was strictly voluntary. Right of reoccupation was only forfeited if property had been occupied by other refugees in the owner's absence and only if those refugees physically inhabited or tilled available arable land. Finally, the commission also recognized and made restitution on immovable "community" property such as churches, schools, hospitals, libraries, etc. so that they could be reconstructed at refugees' new location or dispersed equitably among the former residents. The compensation regulations were exceptionally detailed and extraordinary in their scope. And while the undertaking in BiH is at least ten times more ambitious, the Greek-Bulgarian program labored under many handicaps that would not exist today. The Greek and Bulgarian governments paid the entire bill for both the administration and actual compensations of the program (that is why so much of it was paid for in government bonds). Also, the claim period extended back almost twenty years because of successive wars in the region. Finally, the Greeks and Bulgarians developed their program without a guide and as a consequence saw it take several unexpected twists and turns over several years before the program was finally concluded. In the end, almost all the Greeks in Bulgaria and an estimated two-thirds of the Bulgarians in Greece availed themselves of the program. Having the opportunity to take advantage of full compensation as a matter of free choice through a process as just and legal as the times permitted, the potential for future irredentism between the two countries was greatly reduced.

²⁹ SFOR Transcript of Press Briefing, 3 March 1997.

³⁰ In the end the Greek government paid the Bulgarians \$7 million against total claims for both governments of almost \$50 million. Interestingly, the Greek government originally agreed to the compensation program believing that in the end the Bulgarian

government would pay. While the average Greek claim was considerably more than the average Bulgarian claim, more Bulgarian minorities availed themselves of the commission than the Greeks expected. See Ladas, pp. 319-322. Thus the moral of the story may be that antagonizing one's minorities, might mean more property to finance. "Ethnic cleansing," or bargaining for more territory at the table, could also have additional financial costs under this type of resettlement program.

³¹ In 1996, international pledges of reconstruction aid totaled \$1.9 billion. The UN High Representative considers \$1.556 billion as firm donor commitments, with \$720 million already disbursed in 1996 and a further \$500 million under way. The remainder has not yet been committed against specific projects. See Report of High Representative, 10 December 1996, paragraphs 73-75, and Remarks by High Representative, 9 January 1997. By way of perspective, the World Bank estimates that total reconstruction for BiH will cost \$5.1 billion. See Tindemans, p. 96.

³² Some of the most notable literature is Ali and Lifschultz, eds., Why Bosnia?, Robert J. Donia and John V. A. Fine, Bosnia and Hercegovina: A Tradition Betrayed, (New York: Columbia University Press, 1994), Mark Pinson, ed., The Muslims of Bosnia-Hercegovina, (Cambridge, MA: Harvard University Press, 1993), Laura Silber and Allan Little, Yugoslavia, Death of a Nation, (TV Books, Inc., 1995), and Warren Zimmermann, Origins of a Catastrophe, (New York and Toronto: Random House, 1996). This theme is also prominent in the report of the International Commission on the Balkans in which they state, "It was a war primarily caused and relentlessly driven by Belgrade's "Greater Serbia" ambitions. See Tindemans, p. 1. It is also common in popular media and among editorialists like Anthony Lewis of The New York Times and Trudy Ruben of the Philadelphia Inquirer.

³³ Jelena Lovric, "Things Fall Apart," in Ali, Why Bosnia?, pp. 279-281, and Mihailo Crnobrnja, "The Roots of Yugoslavia's Dissolution," in Ibid., pp. 268-277. Almost from the moment Yugoslavia came into being after WWI, the Croatians became disillusioned and embittered, agitating for greater autonomy from what they saw as Serbian dominance. This led to the breakdown of the "first Yugoslavia" in the inter-war years, and was a constant source of trouble for Tito during the "second Yugoslavia." See Edgar O'Ballance, Civil War in Bosnia 1992-94, (New York: St. Martin's Press, Inc., 1995), pp. 17-18, Silber, pp. 28-29, 82-84 and Bennett, pp. 32-38, 51-56, and 72-74. The most eloquent statement of nationalism within Yugoslavia is provided by Ivo Banac of Yale University. He states, "I would argue that the first Yugoslav state failed, not in 1941 when it disintegrated, but in 1921 with adoption of the centralist constitution . . . The Communists tried to resuscitate this [Yugoslav] ideology in the guise of a Soviet-style federation, and they had some success with it. But they were more successful when they argued for a clear identity of all constituent parts—a key element of their program during the war. . . In the 1950's, when Tito argued for integration . . . he provoked tremendous opposition among Communists of Slovenia, Croatia, and so on, who saw this as an opening for the revival of Serbian hegemony. This conflict came to a head in 1962-63

with Tito's change of position. He abandoned the idea of Yugoslav integration. . . there is a notion that nationalism was revived after the collapse of communism. This is not accurate. The reality was that since nationalism was repressed, or, more exactly the politics of identity were repressed, during the Communist period, all issues dealing with such matters were debated inside the Party. By the 1970's, sections of the Party itself had become . . . federalized—and its federalization meant the end of its effective unity and the beginning of the crisis that led to the downfall of the second Yugoslav state. Ivo Banac, "Separating History from Myth," in Ali, Why Bosnia?, pp. 141-144.

³⁴ Silber, pp. 113-114, 147. See also Misha Glenny, The Fall of Yugoslavia, (New York: Penguin Books, 1992), p. 37.

³⁵ Tindemans, p. 43, and Owen, p.34. Also Silber, pp. 105-107, 154-158, 161-164, 166. The Slovenes were the first to walk out of the Yugoslav League of Communists in January 1990 and the first to secede in June 1991. Most scholars mark these events as the death nail of Yugoslavia. The popular perception is that Milosevic and Serb nationalism "drove" the Slovenes to secede. But this is an argument over whose paranoia—Slovene or Serb—was more justified than the other.

³⁶ See Bogdan Denitch, "The Last Days of Yugoslavia," in Ali, Why Bosnia?, pp. 292-293. Also Silber, pp. 29, 88-89, 114, 166-167. In theory, the JNA was answerable to the collective Yugoslav presidency, but as the governing consensus at the presidential level broke down, it became debatable if the JNA was answerable to anyone but themselves.

³⁷ By the 1991 census, Serbs constitute 2% of the population in Slovenia.

³⁸ By the 1991 census, Serbs constitute 2% of the population in Macedonia, although some Serb claims go as high as 15% of the population. While there has been reports of Serb agitation in Macedonia, principally by the radical Serb leader Vojislav Seselj, the JNA nonetheless withdrew peacefully from Macedonia in March 1992 after Macedonia declared its independence in September 1991. See Erich Frankland, "Struggling with Collective Security and Recognition in Europe: The Case of the Macedonian Republic," European Security, 4, no. 2 (Summer 1995), 366-69, 372, and O'Ballance, p. 25. An additional factor in the Serb acceptance of Macedonian independence may be that Macedonians are predominately Orthodox and thus are seen as little threat to Serb minorities. See Owen, p. 40.

³⁹ In August 1991, Izetbegovic announced intention to hold referendum on independence. In September 1991, Serb dominated municipalities began to group together and declare Serb Autonomous Regions in "Eastern and Old Hercegovina," "Bosanka Krajina" (around Banja Luka), Romanija (east of Sarajevo), and "Northern Bosnia" in northeastern Bosnia. In a heated and tumultuous session on the night of 14-15 October 1991, the Bosnian Parliament proclaimed the sovereignty of the republic and rejected autonomy claims by the Serbs. On 24 October 1991, the Serb deputies of the

Bosnian Parliament announced the formation of an "Assembly of Serb Nation (People) of Bosnia and Hercegovina" and proposed a referendum on a common Serb state to be held 9-10 November 1991. On 20 December 1991, the Bosnian collective presidency voted to apply for EC recognition of independence, over the objections of the Serb members. On 9 January 1992, the Serb Assembly announced the formation of the Bosnian Serb republic comprising the six Serb Autonomous Regions, plus other areas and municipalities with Serb peoples. The Croat-Muslim referendum on independence was conducted 29 February 1992. On 27 March 1992, Radovan Karadzic announced formation of the "Serbian Republic of Bosnia and Hercegovina." On 7 April 1992, the EC and United States recognized BiH, and the war officially commenced. See Europa, Eastern Europe and Commonwealth of Independent States 1994, 2d ed. (Kent, England: Europa Publications Limited, 1994), pp.183-184, John Zametica, "The Yugoslav Conflict," Adelphi Paper 270, (The International Institute for Strategic Studies, Summer 1992), pp. 17-18, 23 and Silber, pp. 214-217. Also see Mark Thompson, "The Final Solution of Bosnia-Hercegovina," in Ali, Why Bosnia?, p. 170. An interesting letter to the editor that sums up a great deal of the Serb viewpoint is Neven Lezaic, "Bosnian Serbs Took What Was Theirs," Wall Street Journal, 6 December 1996, p. 19.

⁴⁰ Silber, pp. 210-211.

⁴¹ It is generally believed that Izetbegovic was selected as the presidential chairman because he had received the most popular votes. Actually another Muslim candidate named Fikret Abdic, a businessman from Bihac in northwestern Bosnia received the most votes, but he deferred to Izetbegovic. Later during the war, Abdic initiated a Muslim separatist movement in his home area over discontent with Izetbegovic's refusal to negotiate a cessation of hostilities. But for a discussion of the outcome of the November 1990 elections, see Silber, p. 211.

⁴² Zametica, pp. 37-38, 40. In addition to the requirement for consensus on all major political questions, all institutions and functions were filled strictly according to the *kljuc* or "key" which meant the rotation of the nationalities through the significant governing positions. See Silber, pp. 107, 109, and Glitman, pp. 69-70.

⁴³ At their meeting in Brussels on 17 December 1991, the EC announced recognition conditions for the former Yugoslav and Soviet republics and appointed an arbitration commission led by Robert Badinter, President of the French Constitution Court. Recognition rules applied only to republican borders. In January 1992, the Badinter Commission made its report, recommending the recognition of Slovenia and Macedonia, but not Croatia and BiH because of the Serb independence movements within their borders. Nonetheless, under pressure from Germany, the EC recognized Croatia along with Slovenia, on 15 January 1992. See Frankland, pp. 369-370, Silber, pp. 199-201. The Bosnian Croats are believed to have voted with the Muslims on independence as a tactical measure to split BiH from Serb-dominated Yugoslavia, with the intent of later joining a Greater Croatia. See O'Ballance, p. 12, and Silber, p. 213. Bosnian Croat

aspirations of subsequently seceding from BiH, however, were complicated by the precedent it would set for the Krajina Serbs in Croatia. See Owen, p. 237. Although strongly anti-Serb, Stojan Cerovic writes, "the Serbs invoked their right to self-determination and their wish to live together with Serbia. They accused the Muslims and Croats of seeking domination within Bosnia by invoking a tyranny of the majority. There was some truth to these charges in the way in which Muslim and Croat deputies in the Parliament of Bosnia-Hercegovina passed legislation authorizing a referendum on the question of sovereignty: they had voted to go ahead in the face of a boycott by all the Serbian deputies. The Serb side used this event to vindicate their view that a tyranny of the majority would be established over their interests in Bosnia. On this basis they advanced the conclusion that Serbs could not live together with Croats and Muslims." See Stojan Cerovic, "Greater Serbia and Its Discontents," in Ali, Why Bosnia?, p 263. Following this same theme, Eric Herring writes, "The Bosnian Muslims and Croats were provocative in March 1992 in abandoning the equal nations concept for the new state in favour of the concept of majority and minority nationalities . . . The replacement of the Bosnian Serbs' equal nation status with minority status—even though all three ethnic groups were meant to have a political veto—guaranteed outright rebellion." See Geoffrey Pridham, Eric Herring, and George Sanford, eds. Building Democracy? The International Dimensions of Democratisation in Eastern Europe, (New York: St. Martin's Press, 1994), pp. 98-101.

⁴⁴ Ali, pp. xii-xiv, xxi, and Ivo Banac, pp. 137-138. Also see Kemal Kurspahic, "Is There a Future?" in Ali, Why Bosnia?, p. 13, and Robert J. Donia and John V. A. Fine, Jr., Bosnia and Hercegovina: A Tradition Betrayed, (New York: Columbia University Press, 1994), pp. 6-12.

⁴⁵ The Kingdom of Bosnia was centered on the Bosna River valley in north-central Bosnia, and at its height included parts of present-day Croatia and Serbia. Donia, pp. 13-34. Also see Vladimer Dedijer et al., History of Yugoslavia, (New York: McGraw-Hill Book Company, 1974), pp. 91-94.

⁴⁶ Hercegovina (the southern quarter of BiH), for instance, was a duchy in its own right conquered by the Bosnian king, but which later won back its independence just prior to both regions falling to the Ottomans. See Donia, pp. 32-34, Pinson, pp. 29-30, 55 and Europa, p. 184.

⁴⁷ Zametica, pp. 9, 22-23 and Owen, pp. 34-35. David Owen describes personal conversations he had with Milovan Djilas, "who during the Partisan war was given by Tito the main responsibility for designing the administrative boundaries of the republics and autonomous provinces within post-war Yugoslavia." He made no secret that the boundaries were often arbitrary and driven by political expediency, and that they were never intended to be international borders.

⁴⁸ Thus, to dilute the influence of the Serbs and give greater recognition to the Hungarians and Albanians (officially recognized as minorities, but not as "nations"), Tito

carved out of Serbia the autonomous provinces of Vojvodina and Kosovo, in 1974.

⁴⁹ See Ivo Banac, "Bosnian Muslims: From Religious Community to Socialist Nationhood and Post-Communist Statehood, 1918-1992," in Mark Pinson, ed., The Muslims of Bosnia-Herzegovina, pp. 129-153.

⁵⁰ Ali, pp. xiii-xvi, xix-xxvii, and xlivi-l. Other authors in Ali, Why Bosnia?, that emphasize the "Greater Serbia" theme, are Christopher Hitchens, pp. 9-11, Kemal Kurspahic, pp. 13-15, T. D. Allman, pp. 40-41, Ivo Banac, pp. 134-136, 145, Mark Thompson, p. 176, Thomas Harrison, pp. 182-190, Kasim Trnka, p. 203, Branka Magas, pp. 248-255, and Stojan Cerovic, pp. 259-265.

⁵¹ Both Slovenia and Croatia called their separation actions "disassociations" based on their view that Yugoslavia was a voluntary association of republics. By the Yugoslav constitution, secession was illegal. See Silber, p. 167 and Frankland, p. 362.

⁵² Pinson, pp. 13-14.

⁵³ Ibid., pp. 2-3. Also see Cerovic, p. 264.

⁵⁴ Pinson, pp. 13-18. Ottomans did not classify their subjects by ethnic group, but by religion. They also favored first the Muslims, then the Orthodox over the Catholics in their legal and administration systems.

⁵⁵ The Muslims were the first of the ethnic groups to form a nationalist political party in preparation for the November 1990 elections. The Party of Democratic Action (SDA) was formed 26 May 1990, as a "political alliance of Yugoslav citizens belonging to Muslim cultural and historical traditions." Its party leader, Alija Izetbegovic, was twice jailed by the Communists for Muslim nationalist agitation, once soon after WWII and again in the early 1980's. His committed views on Islam were well known from his two books, Islamic Declaration (1973) and Islam Between East and West (1984 and 1988) in which he shared his vision of an Islamic state in the modern world. See Zametica, pp. 38-39 and Silber, pp. 206-209. Following the November 1990 elections and his appointment as the "first" president, Izetbegovic inflamed Serb and Croat suspicions when in July 1991, when on a visit to Turkey, he asked to join the Organization of Islamic Countries. See Silber, pp. 211, 213.

⁵⁶ Mark Thompson has even gone so far as to suggest that labeling the conflict as an ethnic war is a misnomer because the groups are ethnically indistinguishable. Thompson, p. 174. John Fine writes, "Their ways of life are the same. Unless one notices the personal name, one may spend considerable time with a Bosnian and go away having no idea which group the Bosnian belonged to." Pinson, pp. 2-3.

⁵⁷ Hugh Pope, "The New Middle Turks Add Their Voices to Contest of Generals and Fundamentalists," Wall Street Journal, 14 March 1997, p. 1, and Hugh Pope,

"Turkey's Military, Flexing Its Muscle, Voices Concerns on Islamists, Greece, Wall Street Journal, 25 February 1997, p. 13.

⁵⁸ Dubrovnik is the only case of the JNA attacking an area (October 1991) where Serbs did not reside and which might not otherwise be important for a "contiguous and defensible" strategy. Laura Silber describes this attack in some detail, but is unable to offer a Serb motive, other than pent-up revenge by poor Montenegrin reservists from the mountains. By December, the bombardment ceased, and in May 1992 the JNA reached agreement with Croatia and withdrew. Again, Silber was unable to determine a concrete reason for the JNA withdrawal, but she suspects that the Croats agreed to give up Bosanski Brod on the northern corridor of Bosnia so strategic to the Serbs. See Silber, pp. 182-185. One possible factor may have been the new Yugoslav constitution passed on 27 April 1992 in Belgrade which announced the new Federal Republic of Yugoslavia (FRY) consisting of Serbia and Montenegro. In that constitution, the JNA became the "Army of the Republic of Yugoslavia" (ARY) and was to operate only in FRY territory. See O'Ballance, p. 34. These actions suggest that Milosevic was gradually establishing control of the JNA and limiting its actions. Along these same lines, are events following the fall of Vukovar. That Croatian city on the border with Serbia was the scene of a particularly gruesome siege by the JNA beginning in September 1991 and finally concluding in November with its nearly complete destruction. Inside the city, the Croat militia had blockaded a JNA garrison, but the siege went well beyond the relief of that garrison. When it concluded, however, with the surrender of the Croat forces, the JNA Chief of Staff, General Blagoje Adzic urged an immediate offensive into eastern Slavonia and on to Zagreb if possible. He was overruled by Borisav Jovic, then President of Yugoslavia. Silber records that Milosevic made this decision for the following reason, "We have no job there in Croat populated areas. We have to protect the Serb areas." Possibly other reasons were the impending agreement introducing UNPROFOR in Croatia and the simultaneous consolidation of Krajina Serb positions in central Croatia. Nonetheless, the termination of the Vukovar and Dubrovnik fighting are indications of Milosevic's limited intentions. See Silber, pp. 175-181, 185-187.

⁵⁹ Banac, 149 and Bennett, p. 77. Arms in BiH were plentiful. Bennett writes, "Yugoslavia was one of the world's top ten arms manufacturers. . . . Arms sales. . . made a substantial contribution to the country's balance of trade. For historical reasons, the industry was concentrated in Serbia and Bosnia-Hercegovina. . . . Many key defense installations [previously in Serbia] were shifted to Bosnia-Hercegovina in 1948, when Yugoslavia feared Soviet invasion."

⁶⁰ Branka Magas, "The Destruction of Bosnia-Hercegovina," in Ali, Why Bosnia?, p. 255. Much has been made over the Serbian domination of the Yugoslav military. Bennett writes, "Tito's armed forces were not excessively Serb-dominated even though Serbs and Montenegrins formed a far greater proportion of the officer corps than of the Yugoslav population in general. Serbs and Montenegrins were attracted to the military partly for traditional reasons and partly because they tended to come from poorer regions

partly for traditional reasons and partly because they tended to come from poorer regions with few alternative careers open to them. Slovenes and Croats aspired to professional careers or careers in industry or tourism rather than in the military. Meanwhile, since the language of the armed forces was Serbo-Croat, Slovenes, Hungarians, Macedonians, and especially Albanians often felt ill at ease in the military. Whatever the reasons, by the late 1980's Serbs dominated the infantry, though not the air force or the navy." Bennett, p. 76. Zametica substantiates Bennett's point by arguing, ". . . it would be difficult to argue that there existed a deliberate pro-Serbian bias in the JNA officer recruitment policy. Promotions to the higher echelons, from the rank of colonel upwards, were deliberately designed to accord with the 'national key' formula, whereby great efforts were made to ensure that each nation filled its quota in the upper ranks of the JNA." In fact, Zametica notes that in 1990, the Serbs had only one general for every 20 colonels, 'Yugoslavs,' one in 18, Montenegrins, one in 14, Croats, one in 10, Macedonians and Muslims, one in 9, Slovenes, one in 6, and Albanians, one for every 3 colonels. See Zametica, pp. 40-42. This preferential treatment of non-Serbs for promotion to general officer meant that in the JNA High Command, 38% were Croat, 8.3% Slovene, and only 33% Serb. See Bennett, p. 131.

⁶¹ See Zametic, pp. 42-43. In January 1992, after the Muslim-Croat application for EC recognition and the EC recognition of Croatia, Milosevic and Borisav Jovic, then President of Yugoslavia, ordered the redeployment of all JNA troops born in Bosnia back to their native republic. Likewise, those born in Serbia and Montenegro were withdrawn back to their native republics. Jovic estimates that at the time of recognition, 85% of the JNA in BiH were Bosnian. See Silber, pp. 217-218.

⁶² Ibid.

⁶³ Owen, p. 309, 348.

⁶⁴ O'Ballance, pp. xviii, 31-32, and Owen, p. 348.

⁶⁵ Tindemans, p. 40.

⁶⁶ Silber, pp. 260-261.

⁶⁷ Owen states that in Geneva at the presentation of the Vance-Owen Peace Plan (VOPP) in mid-January 1993, he witnessed Milosevic, with President Bulatovic of Montenegro and President Cosic of Yugoslavia pressure the Bosnian Serb leaders Karadzic and Mladic to negotiate seriously. Milosevic made it clear to Mladic, that Belgrade would not go on supporting the Bosnian Serb Army. Karadzic was shaken, but argued that the plan would leave 650,000-700,000 Serbs in Muslim and Croat controlled areas. Karadzic asked for a referendum by the Serb people and plebiscites for areas under dispute, but was generally positive in his public pronouncements. The problem that developed at that stage was getting the new Clinton Administration on board behind the Muslims. Owen, pp.89-113. Owen also relates a meeting in Belgrade in April 1993 in

territorial link between Zvornik and Sekovici in eastern Bosnia which Milosevic thought was stupid. Owen, p. 140. Later during negotiations over the EU Action Plan, when the Bosnian Serb leadership was holding out for a divided Sarajevo, Owen records that Milosevic "always dismissed it as a fantasy." Owen, p. 239. Following Milosevic's acceptance of VOPP, Owen writes, "From this point, 25 April 1993, onwards Milosevic formally gave up Greater Serbia and argued for a settlement . . . and throughout the next two years he did not waver in seeking such a solution. The interests of Serbia and Montenegro from then on were the decisive factor . . . Unfortunately, in the US the demonization of Milosevic had reached such a level that administration, Congress and media alike seemed unable to adjust to this new reality and kept talking about Milosevic being committed to a Greater Serbia." Owen, p. 144.

⁶⁸ In late April 1993, the Bosnian Serb Parliament met to consider the VOPP. The leadership in Belgrade sent Foreign Minister Vladislav Jovanovic with an open letter signed by Milosevic, Cosic and Bulatovic urging acceptance. Belgrade had accepted the stipulation of a UN patrolled route linking eastern and western portions of Republika Srpska and a rotating interim presidency (every four months) by ethnic group with decisions by consensus. It was further stipulated that Muslim and Croat troops would not be permitted in the areas that the Bosnian Serbs relinquished. See O'Ballance, pp. 161-162, Silber, pp. 278-281, and Owen, pp. 143-145. After a late night session, the Bosnian Serb Parliament unanimously decided that it would have to put the decision to a referendum. A summit of all parties was then hastily called in Athens, where Milosevic and Cosic again harangued the Bosnian Serb leadership into accepting the peace plan. Under intense pressure, Karadzic signed; but it was only tactical, contingent on approval of the Bosnian Serb Parliament. From there, Milosevic, Cosic, Bulatovic, and Greek President Mitsotakis went to Pale to urge in person that the Bosnian Serb Parliament accept the plan. The decisive speaker appears to have been General Mladic, and in the early hours of the morning, the Parliament voted 51-14 to defer the question to referendum, where it was ultimately defeated overwhelmingly. See Silber, pp. 281-287.

⁶⁹ This was announced on 4 August 1994, after the Bosnian Serbs rejected the Contact Group Plan. See Silber, pp.338-343. In a statement published at the time in the Belgrade paper, Milosevic wrote, "The overriding interest of the Serbian nation is peace, and no one has the right to reject that . . . The goal of freedom and justice for the Serbian nation is achieved. Now is the time for concessions. The Contact Group proposals—which legalize the Bosnian Serb Republic and give it half of Bosnia and Herzegovina—is not anti-Serbian. . . There are no moral grounds whatsoever to justify additional sacrifices from the FRY and the entire Serbian people." Owen, pp. 294-297. Some commentators have ridiculed the blockade as a sham, but Momcilo Krajisnik, the president of the Republika Srpska assembly during the war and currently the Serbian representative on the collective presidency for BiH had this to say, "We wanted to unite with Serbia, [but] after they imposed a blockade on us (in 1994), our new wish is independence." See Tindemans, p. 80.

⁷⁰ Most prominent of the ultra-nationalists was Vojislav Seselji whose party won 73 seats in the 250-seat FRY Parliament in the December 1992 compared to 101 for Milosevic's party. Seselji himself won 18% of the vote for President as compared with 56% for Milosevic, and only 34% for Milan Panic, the "moderate" candidate. See Silber, pp. 263-264 and O'Ballance, p. 132. Also see Morton I. Abramowitz, "Stop Coddling Those Dictators," Washington Post, 26 November 1996, p. 15 and Bennett, p. 122. Ivo Banac has this to say: "What one wants to have is a 'normal' Serbia which . . . is a very tall and difficult order . . . not just to Milosevic and those to the right of Milosevic, but even to those forces in Serbia which are considered sympathetic from the Western point of view. The one thing that unites all of them is the notion that Serbia cannot exist unless it realizes its integration with all the communities across the Drina and Sava rivers. This is a belief which is shared by a whole spectrum of Serbian political parties with very few exceptions." Banac, p. 162-163, 156-157. In supporting the Vance-Owen and Contact Group peace plans, Milosevic opened his flanks to the Army and ultra-nationalists like Seselji. Owen, pp. 145, 155, 173-174, 296-297.

⁷¹ Robert D. Kaplan, "Limited Options in Serbia," New York Times, 14 January 1997, p. 15. The ICB concludes, "The political parties that belong to the so-called 'democratic opposition' [in Serbia] have discredited themselves politically . . . as many of their leaders first preached the nationalist crusade in Serbia in the 1980's and were aggressively nationalistic while Serb forces were winning the war." Tindemans, p. 108. Further indications of nationalism that still pervades the Serbian people can be found in Chris Hedges, "Fierce Serb Nationalism Pervades Student Foes of Belgrade Leader," New York Times, 10 December 1996, p. 1. It should also be noted that nationalism in Serbia had a prominent intellectual component. Indeed, the rise of nationalism is frequently portrayed as beginning with the Memorandum drafted by the Serbian Academy of Arts and Sciences in 1985 which elaborated an anti-Serb conspiracy prevalent under Tito of which the Yugoslav constitution of 1974 was principal manifestation. See Bennett, pp. 79-82, 92-93, and Silber, pp. 29-35. Bennett furthers argues that the media in various republics, of which Serbia was only one, are also principally to blame for heightened nationalistic feelings in early 1990's. Bennett, pp. 3-7, 96-98.

⁷² Miodrag Ivanovic, "Bosnia and Herzegovina: the Dayton Peace Agreement and America's Policy between Hope and Fraud," Defense Analysis, 12 no. 3 (December 1996), p. 376. The International Commission of the Balkans (ICB) concludes that the biggest threats to peace in BiH are Radovan Karadzic and Ratko Mladic, not Milosevic. Tindemans, p. 87.

⁷³ In January 1993, an United Nations Multinational Observer (UNMO) team near Kosevo hospital in Sarajevo witnessed a Muslim mortar crew set up in the grounds of the hospital, fire into a Serb area, and then quickly pack up and leave. A television crew then arrived and filmed the retaliatory Serb shelling of the hospital. Owen, pp. 105-106. David Owen also writes that there was a feeling at this time by UNPROFOR that a small

element of the sniping in central part of Muslim held Sarajevo was being done by the Muslims firing on their own people. "Those suspicions were never confirmed until August 1995 when a French UN team pinpointed some of the sniping to a building which they knew was controlled by the Bosnian government forces." Owen, p. 106. Owen further reports UNPROFOR suspicions that Muslim mortar fire around Sarajevo was staged when foreign dignitaries were visiting, and that men aged 18-65 and women 18-60 were forbidden by the Muslims to leave Sarajevo because officially they were needed for the city's defense; but the main reason was to further the propaganda war of a Serbian siege. Owen, pp. 47, 60. Other charges have been Muslim shelling of Sarajevo airport to keep black market prices up on the entry of goods that the Muslim military leaders controlled, and refusal to restore water to Sarajevo lines, not because of health reasons, but because of Muslim black-marketing of fuel provided by UN to manually distribute the water. Also the sight of Sarajevisans lining up for water was poignant imagery for invoking world sympathy. See Boyd, pp. 26-29. Sympathy was the Muslim most emotive propaganda weapon for bringing the Americans into the fight on their side. But probably the most compelling case of potential Muslim propaganda plotting was the 5 February 1994 mortar shelling of the Sarajevo market place that killed 69 people and wounded almost 200. Of course, the headlines around the world suspected the Serbs. But on 8 February, General Michael Rose, UN commander in Sarajevo, confronted President Izetbegovic and his military chief General Delic with technical information that the mortar shell had come from a Muslim-controlled area. A report to this effect was dispatched to the UN. General Rose was later more circumspect about what happened and the report was never officially confirmed. Responsibility for the mortar attack, however, has never been determined. Owen, pp. 255-261.

⁷⁴ Silber, pp. 214-215.

⁷⁵ O'Ballance, pp. 12 15. See also Silber, p. 369.

⁷⁶ Ejup Ganic, initially the seventh member of the Bosnian collective presidency and later Vice President of BiH, led the Muslim public relations campaign in the United States. A Muslim, born in the Sandzak region of Serbia (1946) and having worked in America for Union Carbide, Ganic is the seventh member of the Bosnian Presidency elected to represent the "Yugoslavs". His mission—of which he made no secret—was to involve the US Army as a combatant in the war to defeat the Serbs. He orchestrates Muslim propaganda campaign in the US with the simple message that the Muslims are the victims. His main tactic is to keep Sarajevo in the headlines. Owen, pp. 83-84. According to the Atlanta Journal/Constitution of 28 February 1993, the Bosnian government employed the Washington-based public relations firm of Ruder Finn Global Public Affairs between June and December 1992 to set up more than 30 interviews with major US news organizations, make 68 calls to members of Congress and 80 calls to media members, and arrange meetings with influential policy makers like Vice-Presidential candidate Al Gore, acting Secretary of State Lawrence Eagleburger, Senate majority and minority leaders George Mitchell and Robert Dole, and 10 other US

Senators. At the time of the article, the Croatian government was paying the same firm for the same type services. Owen, pp. 118-119.

⁷⁷ The ICB observes that Americans are more inclined than Europeans to see the conflict as war of aggression. They also conclude that any attempt to differentiate between a war of aggression and a civil war in Bosnia is very tenuous. See Tindemans, pp. 33, 69, and Glitman, p. 68, 72. 1997

⁷⁸ Carl Bildt, "The Prospects for Bosnia," RUSI Journal, 141 no. 6, (December 1996): 5. Also Richard Holbrooke, "Letters to the Editor—Richard Holbrook on Bosnia," Foreign Affairs, 76 no. 2 (March-April 1997): 172.

⁷⁹ Antonio Cassese, Self-determination of Peoples (New York: Cambridge University Press, 1995), pp.5-6.

⁸⁰ Tindemans, p. xiv.

⁸¹ Former Secretary of State Kissinger has recently made this suggestion, which many believe would surely result in partition. See Henry Kissinger, "America in the Eye of a Hurricane," Washington Post, 8 September 1996, p. C7 and Carl Bildt's response in "Article by the High Representative," Sarajevo, 14 September 1996 at <<http://www.ohr.int/articles>>, March 1997. Lawrence Farley argues that plebiscites are an underused method of peacemaking and resolving political disputes. Lawrence T. Farley, Plebiscites and Sovereignty, (Boulder, CO: Westview Press, 1986), pp. xi-xii.

⁸² Principally they involve awarding Brcko to the Muslims based on its pre-war ethnic composition and constructing and limited access highway through the area linking the eastern and northern parts of RS (Muslim north-south crossings would be in the form of bridges or tunnels), additional land for the Muslims in the Goradze corridor, and high ground around Sarajevo to the Muslims. Croat territory should be confined to southwest and small pockets in the extreme north; however, I do not support a Muslim access to the sea because it is not economically key and displaces too many Croats. Once "international" type borders are defined, security guarantees are greatly simplified. Nor would a "Camp David" style package of economic aid and military assistance be difficult to work out.

⁸³ To David Owen, this was one of the great lessons of the Yugoslavian peace process. Until Dayton, the Allies agonized over whether the settlement should be voluntary or imposed. Either extreme is probably bad. But Owen makes a good case, that once having reached a consensus on a fair solution, the Great Powers must demonstrate the will to impose the settlement and strongly support whichever side first accepts the settlement. Owen, pp. 103-104, 282-283.

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